

CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on January 15, 2004

H. C. Barnhill
Hui Chin Barnhill

In Re Application Of: Huang et al.

Group No.: 3652

Serial No.: 10/618,498

Docket No. 252011-1520

Filed: July 11, 2003

For: **LOAD PORT TRANSFER DEVICE**

The following is a list of documents enclosed:

Return Postcard
Request for Refund
Notice Regarding Request for Refund

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of*: Huang et al.

Serial No.: 10/618,498

Group No.: 3652

Filed: July 11, 2003

Examiner: Unassigned

For*: Load Port Transfer Device

☐ Patent No.:

Issued:

NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment also insert application serial number and filing date

Mail Stop 16
Director of the US Patent and
Trademarks Office
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Refund Section, Accounting Division, Office of Finance
REQUEST FOR REFUND
(37 C.F.R. 1.28(a))

NOTE: 37 C.F.R. § 1028(a) "(a) Refunds based on later establishment of small entity status. A refund pursuant to §1.26, based on establishment on small entity status, of a portion of fees timely paid-in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under §1.136. Status as small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."

NOTE: Submission of a Change of Status (small/not small entity status) after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. §1.704(c)(1). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

CERTIFICATE OF MAILING (37 C.F.R. 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being
MAILING

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ with sufficient postage as first class mail. 37 ☐ as "Express Mail Post Office to Addressee"
C.F.R. § 1.8(a) Mailing Label No.: (mandatory).
37 C.F.R. §1.10

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office (703)

Date: January 19, 2004


Signature - Hui Chin Barnhill

PAID: PATENT

I. SUBMISSION OF SMALL ENTITY ASSERTION

- ☐ Attached is an assertion of small entity status in this application.
☐ An assertion of small entity status was filed in this application on

II. REFUND REQUEST

This request for refund is made within three months of the date a fee was paid in this application on (date) October 15, 2003 in the amount of \$ 130.00.

NOTE: The two-month period (§ 1.28(a)) is not included in the provisions for extension under 37 C.F.R. 1.136 since it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984.

III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	\$
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e)) and/or	\$
<input checked="" type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$ <u>130.00</u>
<input type="checkbox"/> extension of term	\$
<input type="checkbox"/> issue fee	\$
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	\$
<input type="checkbox"/> second maintenance fee	\$
<input type="checkbox"/> third maintenance fee	\$
<input type="checkbox"/> patent maintenance fee surcharge.	

NOTE: The refund provisions of § 1.28(a) for later submitted small entity statements apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37

☐ other: \$

TOTAL REFUND REQUESTED \$ 130.00

IV. MANNER OF REFUND

Please make refund by:

- ☒ Deposit Account No. **20-0778**.
- ☐ Credit card as shown on the attached credit card information authorization form PTO-2038.
- ☐ Refunding overpayment



Daniel R. McClure, Reg. No. 38,962

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948
770-933-9500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Huang et al.

Group No.: 3652

Serial No.: 10/618,498

Docket No. 252011-1520

Filed: July 11, 2003

For: **LOAD PORT TRANSFER DEVICE**

NOTICE REGARDING REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Undersigned hereby requests that the U.S. Patent and Trademark Office refund an inadvertent and improper charge to deposit account 20-0778.

Facts Regarding Improper Deposit Account Charge

The above-referenced patent application was inadvertently and improperly sent a Notice to File Missing Parts of Nonprovisional Application, dated October 9, 2003.

On October 15, 2003, the Undersigned mailed a Response to Missing Parts Notice, advising the USPTO that the executed Declaration was indeed filed with the patent application package on July 11, 2003, and the Notice to File Missing Parts was issued in error on the part of the USPTO. Included with the Response was: (1) a copy of the date stamped return postcard, indicating receipt of the Declaration; (2) a copy of the Declaration as was filed with the patent application; and (3) a copy of the Certificate of Mailing which also indicated that an executed Declaration was filed with the application.

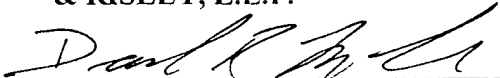
The mailed notice of deposit account charges has not yet been received from the USPTO. However, on January 15, 2004, the Undersigned noted a charge to the deposit account on October 22, 2003, by checking the status of the deposit account.

Therefore, the Undersigned requests a refund in the amount of \$130.00 to deposit account 20-0778, since the error was on part of the Patent Office for improperly issuing a Notice to Filing Missing Parts when the Declaration was indeed filed with the patent application.

If you have any questions regarding this request, please contact the Undersigned attorney at (770) 933-9500.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By: 
Daniel R. McClure; Reg. No. 38,962

Suite 1750, 100 Galleria Parkway
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